

U.S. District Court
United States District Court for the Southern District of New York (Foley
Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-04104-SAS

Ferk et al v. Omniglow Corporation et al
Assigned to: Judge Shira A. Scheindlin
Related Case: [1:03-cv-08960-SAS](#)
Cause: 28:1332 Diversity-Fraud

Date Filed: 05/25/2007
Jury Demand: Plaintiff
Nature of Suit: 370 Fraud or Truth-In-
Lending
Jurisdiction: Diversity

Plaintiff

Rastko Ferk

father of Rastko Ferk Jr. (killed in
Nov. 11, 2000 Kaprun Fire)

represented by **Edward Davis Fagan**
Edward D. Fagan, Esq.
c/o 1414 Avenue of Americas
406
New York, NY 10017
(212) 293-1900
Fax: (973) 998-9276
Email: faganlawintl@aim.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Dragica Ferk

mother of Rastko Ferk Jr. (killed in
Nov. 11, 2000 Kaprun Fire)

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Brigitte Decker

mother of Jakob Decker (killed in
Nov. 11, 2000 Kaprun Fire)

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Peter Decker

father of Jakob Decker (killed in Nov.
11, 2000 Kaprun Fire)

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jutta Decker

sister of Jakob Decker (killed in Nov.

represented by **Edward Davis Fagan**
(See above for address)

11, 2000 Kaprun Fire)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Anneliese Ferstl

*wife of Franz Ferstl (killed in Nov.
11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Franz Ferstl, Jr.

*son of Franz Ferstl (killed in Nov. 11,
2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Geier, Hermann

*Survivor of Nov. 11, 2000 Kaprun
Fire*

represented by **Edward Davis Fagan**
Edward D. Fagan Esq.
c/o 1414 Avenue of Americas
406
New York, NY 10017
(212) 837-7836
Fax: (973) 998-9276
Email: faganlawintl@aim.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Birgit Gotz

*survivor of the Nov. 11, 2000 Kuprun
Fire*

represented by **Edward Davis Fagan**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Barbara Mayerhofer

*wife of Karl Mayerhofer and mother
of barbara Mayerhofer (killed in Nov.
11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

J. M.

*(a minor), son of Karl Mayerhofer
and brother of Barbara Mayerhofer
(killed in Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Roland Mayerhofer
*survivor of Nov. 11, 2000 Kaprun
Fire*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Nanae Mitsumoto
*mother of Sadri Mitsumoto (killed in
Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Kosuke Mitsumoto
*sister of Sadri Mitsumoto (killed in
Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Masatoshi Mitsumoto
*father of Sadri Mitsumoto (killed in
Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Martin Niederberger
*mother of Martin Niederberger
(killed in Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Renate Niederberger
*father of Martin Niederberger (killed
in Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Sidonija Scharwitzl
*mother of Dietmar Scharwitzl (killed
in Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Georg Schwarz
*survivor of the Nov. 11, 2000 Kaprun
Fire*

represented by **Edward Davis Fagan**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Joop H. Stadman
*father of Barry Stardam (killed in
 Nov. 11, 2000 Kaprun Fire)*

represented by **Edward Davis Fagan**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Omniglow Corporation

Defendant

Omniglow L.P.

Defendant

Omniglow Management LLC

Defendant

Sciens Capital Partners L.P.

Defendant

GMS Acquisition Partners LLC

Defendant

Cyalume Technologies Inc.

Defendant

Omniglow LLC

Date Filed	#	Docket Text
05/25/2007	<u>1</u>	COMPLAINT against Omniglow Corporation, Omniglow L.P., Omniglow Management LLC, Sciens Capital Partners L.P., GMS Acquisition Partners LLC, Cyalume Technologies Inc., Omniglow LLC. (Filing Fee \$ 350.00, Receipt Number 616601)Document filed by Jutta Decker, Anneliese Ferstl, Franz Ferstl, Jr, Geier, Hermann, Birgit Gotz, Barbara Mayerhofer, J. M., Roland Mayerhofer, Nanae Mitsumoto, Kosuke Mitsumoto, Masatoshi Mitsumoto, Rastko Ferk, Martin Niederberger, Renate Niederberger, Sidonija Scharwitzl, Georg Schwarz, Joop H. Stadman, Dragica Ferk, Brigitte Decker, Peter Decker.(mbe) (Entered: 05/29/2007)

05/25/2007		SUMMONS ISSUED as to Omniglow Corporation, Omniglow L.P., Omniglow Management LLC, Sciens Capital Partners L.P., GMS Acquisition Partners LLC, Cyalume Technologies Inc., Omniglow LLC. (mbe) (Entered: 05/29/2007)
05/25/2007		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 03-cv-8960 and 03-cv-8961. (mbe) (Entered: 05/29/2007)
05/29/2007	<u>2</u>	CERTIFICATE OF SERVICE. Cyalume Technologies Inc. served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>3</u>	CERTIFICATE OF SERVICE. GMS Acquisition Partners LLC served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>4</u>	CERTIFICATE OF SERVICE. Omniglow L.P. served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>5</u>	CERTIFICATE OF SERVICE. Omniglow Management LLC served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>6</u>	CERTIFICATE OF SERVICE. Sciens Capital Partners L.P. served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>7</u>	CERTIFICATE OF SERVICE. Omniglow LLC served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
05/29/2007	<u>8</u>	CERTIFICATE OF SERVICE. Omniglow Corporation served on 5/29/2007, answer due 6/18/2007. Service was made by UPS Certified Delivery. Document filed by Rastko Ferk. (Fagan, Edward) (Entered: 05/29/2007)
06/05/2007	9	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (kco) (Entered: 06/11/2007)
06/11/2007		CASE ACCEPTED AS RELATED. Create association to 1:03-cv-08960-SAS. Notice of Assignment to follow. (kco) (Entered: 06/11/2007)

		06/11/2007)
06/11/2007		Magistrate Judge Theodore H. Katz is so designated. (kco) (Entered: 06/11/2007)
06/18/2007	10	NOTICE OF CHANGE OF ADDRESS by Edward Davis Fagan on behalf of all plaintiffs. New Address: Edward D. Fagan, Five Penn Plaza, 23rd Floor, New York, NY, USA 10001, (646) 378-2225. (Fagan, Edward) (Entered: 06/18/2007)